

Applicable State Regulations

References for Construction, Operation and Maintenance of ACM Class III Landfill, Nevada and Federal Requirements for Disposal of Asbestos

CLASS III LANDFILL

NAC 444.731 Minimum standards; reduction or waiver of requirements. ([NRS 444.560](#))

1. Except as otherwise provided in subsections 2 and 3, each Class III site must comply with the standards for location, design, construction, operation and maintenance set forth in [NAC 444.733](#) to [444.747](#), inclusive.

2. A solid waste management authority may adopt less restrictive standards for a Class III site which receives waste material which is inert or unlikely to create an environmental hazard or threaten the health of the general public.

3. *A solid waste management authority may waive the requirements for a Class III site if the owner or operator of that site demonstrates that:*

(a) All waste which is placed in the landfill is incidental to his industrial operation;

(b) The landfill is located on property controlled by the operator of the industrial operation; and

(c) The landfill will not receive any hazardous materials and is unlikely to produce pollutants or contaminants that may degrade waters of the State.

4. An owner or operator who applies for a waiver must submit a plan to the solid waste management authority for approval. The plan must include:

(a) A description of the type and estimated amount of material which will be placed in the landfill; and

(b) A program for the maintenance of the site.

5. As used in this section, "hazardous material" has the meaning ascribed to it in [NRS 459.7024](#).

(Added to NAC by Environmental Comm'n, eff. 9-2-92; A 11-9-95)

NEVADA NAC FOR DISPOSAL OF ASBESTOS

NAC 444.965 Definitions. ([NRS 618.775](#)) As used in [NAC 444.965](#) to [444.976](#), inclusive, unless the context otherwise requires, the words and terms defined in [NAC 444.966](#) to [444.970](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NAC by Environmental Comm'n, eff. 12-19-89)

NAC 444.966 "Asbestos" defined. ([NRS 618.775](#)) "Asbestos" has the meaning ascribed to it in [NRS 618.750](#).

(Added to NAC by Environmental Comm'n, eff. 12-19-89)

NAC 444.967 "Division" defined. ([NRS 618.775](#)) "Division" means the Division of Environmental Protection of the State Department of Conservation and Natural Resources.

(Added to NAC by Environmental Comm'n, eff. 12-19-89)

NAC 444.968 "Operator" defined. ([NRS 618.775](#)) "Operator" means a person who operates a Class I disposal site which has been approved by the solid waste management authority.

(Added to NAC by Environmental Comm'n, eff. 12-19-89)

NAC 444.969 "Solid waste management authority" defined. ([NRS 618.775](#)) "Solid waste management authority" means the officers and agents of the Division of Environmental Protection, any district board of health created pursuant to [NRS 439.370](#) or any other entity given specific authority by the Division to control asbestos.

(Added to NAC by Environmental Comm'n, eff. 12-19-89; A 11-8-93)

NAC 444.970 "Transporter" defined. ([NRS 618.775](#)) "Transporter" means a person engaged in the transportation of asbestos by air, rail, highway or water. The term does not include any person engaged in such transportation on an approved Class I disposal site.

(Added to NAC by Environmental Comm'n, eff. 12-19-89)

NAC 444.971 Standards for handling and transportation. ([NRS 618.775](#))

1. All asbestos that is friable or otherwise capable of giving off friable asbestos dust and that is intended for transport must be wetted with a water and surfactant mixture and stored in:

- (a) A plastic bag which is not less than 6 mils thick and sealed so it will not leak;
- (b) A combination of plastic bags which equal at least 6 mils in thickness; or
- (c) A container made of cardboard or metal which is lined with plastic.

2. Each container used to dispose asbestos must bear a label that conforms with the requirements of the United States Environmental Protection Agency or Occupational Safety and Health Act and contains either of the following statements:

CAUTION
CONTAINS ASBESTOS FIBERS
AVOID OPENING OR BREAKING CONTAINER
BREATHING ASBESTOS IS HAZARDOUS TO YOUR HEALTH

or
CAUTION
CONTAINS ASBESTOS FIBERS
AVOID CREATING DUST
MAY CAUSE SERIOUS BODILY HARM

or
DANGER
CONTAINS ASBESTOS FIBERS
AVOID CREATING DUST
CANCER AND LUNG DISEASE HAZARD

3. The vehicle used to transport asbestos must be fully enclosed or be covered so as to prevent damage to the containers or the release of asbestos fibers.

(Added to NAC by Environmental Comm'n, eff. 12-19-89)

NAC 444.972 Approval required for transportation; submission of information to obtain approval. ([NRS 618.775](#))

1. Before a transporter may transport asbestos, he must obtain the written approval of the solid waste management authority.

2. A transporter who seeks approval to transport asbestos shall submit the following information in writing:

- (a) The name, address and license number of the transporter and any subcontractor;
 - (b) The address and description of the place from which the asbestos is collected;
 - (c) The projected starting and completion dates for transportation and disposal of the asbestos;
 - (d) The procedure which will be used to comply with [NAC 444.965](#) to [444.976](#), inclusive, concerning the transportation and disposal of the asbestos; and
 - (e) The name and address of the site where the asbestos will be disposed of.
- (Added to NAC by Environmental Comm'n, eff. 12-19-89)

NAC 444.973 Maintenance and filing of records regarding transportation. ([NRS 618.775](#))

1. A transporter shall maintain a written record containing the following information regarding each load of asbestos he transports to a Class I disposal site:

- (a) A number identifying the record;
 - (b) The name and location of the place where the asbestos is located;
 - (c) The name, mailing address and telephone number of the generator;
 - (d) The name, mailing address and telephone number of the transporter;
 - (e) The name, mailing address and telephone number of the disposal site;
 - (f) A description of the asbestos, the number of containers and the volume or weight of each container; and
 - (g) A certification of the containers and labels of the generator.
2. The record must:

(a) Be maintained each time the transporter transports asbestos to a disposal site on the form prescribed by the Division;

(b) Contain a signature line for the generator, transporter and operator; and

(c) Contain a space for comments.

3. For the purposes of [NAC 444.965](#) to [444.976](#), inclusive, the transporter shall be deemed the generator.

4. The transporter shall file a copy of his record with the solid waste management authority within 30 days after the asbestos has been delivered to the disposal site. He shall keep each record for at least 3 years after the asbestos has been delivered to the disposal site.

5. As used in this section:

(a) "Asbestos-containing waste material" means any:

(1) Waste substance that contains more than 1 percent asbestos and is generated as a result of a project for the abatement of asbestos; or

(2) Clothing, equipment or other material contaminated with asbestos as a result of such a project.

(b) "Generator" means any person whose act or process produces asbestos or asbestos-containing waste material.

(Added to NAC by Environmental Comm'n, eff. 12-19-89)

NAC 444.974 Notification required before delivery; disposal at site other than Class I disposal site. ([NRS 618.775](#))

1. Each transporter shall notify the operator at least 24 hours before delivery of the asbestos.

2. Asbestos may be disposed of at a site other than a Class I disposal site if such disposal is approved by the solid waste management authority.

(Added to NAC by Environmental Comm'n, eff. 12-19-89)

NAC 444.975 Inspection upon delivery; notice of noncompliance with standards; acceptance of noncomplying load. ([NRS 618.775](#))

1. Each operator who accepts asbestos shall inspect each load to verify that each container and label complies with the requirements prescribed in [NAC 444.971](#). If there is any noncompliance with those requirements which may cause the release of fibers during disposal, the operator shall notify the solid waste management authority.

2. If the operator notifies the solid waste management authority of noncompliance and the authority authorizes the operator to accept the asbestos, the operator shall comply with the requirements set forth in paragraphs (e), (f) and (g) of subsection 1 of [NAC 444.976](#).

(Added to NAC by Environmental Comm'n, eff. 12-19-89)

NAC 444.976 Duties of operator who accepts asbestos. ([NRS 618.775](#))

1. Each operator who accepts asbestos shall:

(a) Designate a separate area of the disposal site for asbestos;

(b) Maintain records of the location and quantity of asbestos which he accepts;

(c) Place each container in a landfill in a manner that limits breakage;

(d) Cover asbestos within 24 hours after placement with at least 6 inches of material that is not asbestos;

- (e) Soak any asbestos which is in a container that does not comply with the requirements of [NAC 444.971](#) before unloading it;
- (f) Rinse out any vehicle which contained any asbestos which is in a container that does not comply with the requirements of [NAC 444.971](#);
- (g) Immediately cover any asbestos which is in a container that does not comply with the requirements of [NAC 444.971](#);
- (h) Compact asbestos after it is covered as prescribed in paragraph (d);
- (i) Cover asbestos with at least 30 inches of compacted material that is not asbestos after the area designated for the disposal of asbestos is no longer used;
- (j) Grade and stabilize the material which covers asbestos;
- (k) Control access to any area where asbestos is disposed of; and
- (l) Place a sign at each point of access to the site which reads:

ASBESTOS WASTE DISPOSAL SITE
BREATHING ASBESTOS DUST
MAY CAUSE LUNG DISEASE AND CANCER
or
DANGER
CONTAINS ASBESTOS FIBERS
AVOID CREATING DUST
CANCER AND LUNG DISEASE HAZARD

2. As used in this section, “landfill” means a facility or part of a facility at which asbestos is disposed of by placing it into or on land.

(Added to NAC by Environmental Comm’n, eff. 12-19-89)